

# House Amendment 8455

PAG LIN

1 1 Amend Senate File 2394, as passed by the Senate, as  
1 2 follows:  
1 3 #1. Page 5, by inserting after line 4 the  
1 4 following:  
1 5 <Sec. \_\_\_\_\_. NEW SECTION. 22.15 PROTECTION OF  
1 6 PERSONAL INFORMATION == DESTRUCTION OF PUBLIC RECORDS  
1 7 == PENALTY.  
1 8 1. "Personal information" means an individual's  
1 9 first name or first initial and last name in  
1 10 combination with any one or more of the following data  
1 11 elements that relate to the individual if neither the  
1 12 name nor the data elements are encrypted, redacted, or  
1 13 otherwise altered by any method or technology in such  
1 14 a manner that the name or data elements are  
1 15 unreadable:  
1 16 a. Social security number.  
1 17 b. Driver's license number or other unique  
1 18 identification number created or collected by a  
1 19 government body.  
1 20 c. Financial account number, credit card number,  
1 21 or debit card number in combination with any required  
1 22 security code, access code, or password that would  
1 23 permit access to an individual's financial account.  
1 24 d. Unique electronic identifier or routing code,  
1 25 in combination with any required security code, access  
1 26 code, or password.  
1 27 e. Unique biometric data, such as a fingerprint,  
1 28 voice print or recording, retina or iris image, or  
1 29 other unique physical representation or digital  
1 30 representation of the biometric data.  
1 31 2. Unless otherwise required by federal or state  
1 32 law, each government body shall take reasonable steps  
1 33 to destroy or arrange for the destruction of a public  
1 34 record, or portion thereof, containing personal  
1 35 information within its control, which is no longer  
1 36 required to be retained by the government body.  
1 37 Destruction of a public record, or portion thereof,  
1 38 shall be in accordance with the following minimum  
1 39 standards:  
1 40 a. Paper documents containing personal information  
1 41 shall be either redacted, burned, pulverized, or  
1 42 shredded so that personal information cannot  
1 43 practicably be read or reconstructed.  
1 44 b. Electronic media and other nonpaper media  
1 45 containing personal information shall be destroyed or  
1 46 erased so that personal information cannot practicably  
1 47 be read, reconstructed, or deciphered through any  
1 48 means.  
1 49 3. A government body may contract with a third  
1 50 party to destroy public records containing personal  
2 1 information in accordance with the requirements of  
2 2 this section. Any third party hired to destroy public  
2 3 records containing personal information shall  
2 4 implement and monitor compliance with policies and  
2 5 procedures that prohibit unauthorized access to or  
2 6 acquisition of or use of personal information during  
2 7 the collection, transportation, and destruction of  
2 8 personal information.  
2 9 4. A government body or third party that violates  
2 10 the provisions of this section shall be subject to a  
2 11 civil penalty of not more than one hundred dollars per  
2 12 public record affected, provided such penalty shall  
2 13 not exceed fifty thousand dollars for each instance of  
2 14 improper destruction. The office of attorney general  
2 15 or a county attorney may enforce the provisions of  
2 16 this section.  
2 17 Sec. \_\_\_\_\_. IMPLEMENTATION OF ACT. Section 25B.2,  
2 18 subsection 3, shall not apply to the section of this  
2 19 Act enacting section 22.15.>  
2 20 #2. Title page, line 4, by inserting after the  
2 21 word <fund,> the following: <and relating to identity  
2 22 protection by requiring the destruction of certain  
2 23 public records containing personal information,>.  
2 24 #3. By renumbering as necessary.

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2 28 PETTENGILL of Benton  
2 29 SF 2394.501 82  
2 30 dea/nh/12253